## REMARKS

Claims 1-9, as amended, are pending in this application. In this Response, Applicants have amended independent claim 1 to overcome a formality. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents. As no new matter has been added by the amendments herein, Applicants respectfully request entry of these amendments at this time.

## THE OBJECTIONS TO THE CLAIMS

Claim 1 was objected to for the reasons set forth on page 2 of the Office Action. In particular, the Examiner stated that the phrase "could be" was inappropriate because it describes an optional condition. While Applicants disagree with this assertion, claim 1 has been amended to change the phrase "could be" to "has a potential to be." This amendment clarifies that the list of tables has the potential to be used to return the set of results. Accordingly, Applicants submit that the Examiner's objection to claim 1 has been traversed. Reconsideration and withdrawal of the objection is respectfully requested.

## THE REJECTIONS UNDER 35 U.S.C. § 101

At page 2 of the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 101 because the claimed method is purportedly not tied to a particular machine. Applicants note, however, that claim 1 specifically recites a "computer-implemented method." As such, Applicants submit that the Examiner's § 101 has no basis, is improper, and should be withdrawn forthwith.

## THE REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Levine for the reasons set forth on pages 3-7 of the Office Action. For the sake of brevity, Applicant's discussion of Levine discussed in the previous Response filed July 14, 2008 is incorporated herein, and is not repeated.

In order to anticipate a claim, a reference must teach each and every feature of recited by the claims. MPEP § 2131. Levine fails in this respect for the following reasons.

The purpose of Levine is to reorder a "raw" list into an "ordered" list so that each successive table has a relationship with a table that has already been specified. Col. 13, lines 1-4. To do so, Levine references another "Related Tables" list which, as its name suggests, lists tables that are related to one another. Col. 12, lines 42-44. The tables that are reordered are then joined.

Independent claim 1 of the present application recites that one aspect of the present invention prevents "execution of joins involving any of the tables remaining in the list." Despite that fact that Levine does not teach or suggest such a feature, the Examiner persists in maintaining the rejection based on Levine. As support for this contention, the Examiner makes blanket citations of large portions of Levine. Office Action at Page 4. Additionally, the Examiner states that "since the tables required by the SQL statement are selected from the original list, the rest of the tables in the list do not participate in the SQL statement and are prevented from participating in execution of joins." *Id.* This statement, however, directly contradicts the explicit teaching of Levine. That is, Levine specifically states that the reordering of tables from the "raw" list to the "ordered" list (steps 162-172) is "repeated until all of the join objects have been moved from the 'raw' list to the 'ordered' list..." Levine at Col. 14, lines 5-9.

Based on the direct, explicit, and incontrovertible teaching of Levine, which directly contradicts the Examiner's assertion, Applicants submit that the Examiner's § 102 rejection is improper, unsupported, and should be withdrawn.

## CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues. No fees are believed to be due at this time. Should any fee be required, however, please charge such fees to Deposit Account No. 50-4545, Order No. 5231-096-US01.

Respectfully submitted,
Hanify & King, P.C.

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By: 

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